



Michael R. Bertoncini

Principal
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Practices

Labor Relations
Privacy, Data and
Cybersecurity

Services

COVID-19
EngageMD®
OSHA's COVID-19
Vaccination and Testing
Emergency Temporary
Standard

Industries

Healthcare
Higher Education

Education

Northeastern University
School of Law
J.D., 1996

Boston College
B.A., 1993
History
cum laude

Admitted to Practice

- U.S. Supreme Court, 2000
- 1st Circuit Court of Appeals, 1997
- U.S. Court of Appeals, DC Circuit, 2007
- Massachusetts - D. Mass., 1997
- Massachusetts, 1996
- New York, 1997

Michael R. Bertoncini is a principal in the Boston, Massachusetts, office of Jackson Lewis P.C. He is a co-leader of the Healthcare industry group and a member of the Higher Education group.

A former Deputy General Counsel, Michael understands first-hand the competing demands and unique challenges in-house counsel must balance. Before joining Jackson Lewis, he was responsible for all labor and employment law matters for the largest fully integrated community care hospital system in New England. He provides timely, practical advice that helps clients reach their strategic goals in a manner that complies with their legal obligations.

Michael regularly partners with clients to establish positive employee relations. In labor relations matters, he negotiates collective bargaining agreements on behalf of organized clients and he represents clients in labor arbitrations and National Labor Relations Board proceedings, and counsels clients with respect to rights and obligations under collective bargaining agreements and applicable labor and employment laws. He also has extensive experience in advising organizations responding to corporate campaigns and negotiating neutrality agreements.

Michael's privacy and data security practice focuses on advising clients on complying with HIPAA and other state and federal privacy and data security laws. He reviews and develops policies and procedures, written information security plans and integrated compliance programs to ensure his clients meet their obligations under privacy and data security laws. Michael represents clients in investigations of alleged data breaches and advises them on their reporting obligations in the event of a data breach. He also conducts workplace training programs on HIPAA compliance and related privacy and data security topics.

In addition to his labor relations and privacy experience, Michael conducts internal investigations and counsels clients on whistleblower and retaliation matters, as well as negotiating executive agreements, both employment and separation agreements. His litigation experience includes matters before federal and state courts and administrative agencies. He has appeared before United States Courts of Appeals and District Courts, Massachusetts and New York state courts, the Equal Employment Opportunity Commission, and the Massachusetts Commission Against Discrimination.

Honors and Recognitions

- *The Best Lawyers in America*, "Employment Law - Management," "Labor Law - Management" and "Litigation - Labor and Employment" (2018 - present)
- *Boston Magazine*, "Top Lawyers" (2021)
- *Legal 500 USA*, "Recommended Attorney" (2017 - present)
- *Martindale-Hubbell®*, "AV Preeminent® - Peer Rated for Highest Level of

Professional Excellence" (2018-present)

Professional Associations and Activities

- Boston Bar Association, Labor and Employment Law Steering Committee (2010-2013)

Speeches

- "Advising Employers & Employees on Off-Duty Conduct," Massachusetts Continuing Legal Education (June 2020) (Co-Chair)
- "Top 10 Tips for Safely And Successfully Returning Employees To The Workplace," Iroquois Healthcare Association (May 2020) (co-presenter)
- "Coronavirus (COVID-19) FAQs for Healthcare Employers," North American Spine Society (April 2020) (co-presenter)
- "First Do No Harm: Recognizing and Addressing Impaired Physicians," Society for Health Care Risk Management of NJ (Princeton, NJ, November 2019) (co-presenter)
- "Late Career Practitioner Policies: Trading One Risk for Another," American Society for Healthcare Human Resources Administrators Annual Conference (Chicago, IL, September 2019)
- "Compliance, Diversity and Inclusion," Association of Jesuit Colleges and Universities Human Resources Conference (Chicago, IL, September 2019) (co-presenter)